



Entered on Docket
October 27, 2011

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Setting Status Conference on
Response of Stoebling Family Trust to
Fourth Omnibus Objection Of USACM
Trust To Proofs Of Claim Based In Part
Upon Investment In The
Fiesta Oak Valley Loan**

Hearing Date: October 18, 2011

Hearing Time: 1:30 p.m.

**Status Hearing Date: November 15, 2011
Hearing Time: 9:30 a.m.**

The Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based
Entirely Upon Investment in The Fiesta Oak Valley Loan ("Fiesta Oak Valley Loan") [DE
9072] (the "Objection"); with regard to the response filed by Stoebling Family Trust), [DE

1 9265] re Claim No. 10725-00945 came before the Court for consideration on October 18,
 2 2011 at 1:30 p.m. Due notice of the October 18, 2011, hearing was provided to the
 3 Stoebling Family Trust. Counsel for the Trustee having appeared, Stoebling Family Trust
 4 did not appear. Good cause now appearing, it is

5 ORDERED:

6 1. A status conference is set before this Court regarding the Objection as it
 7 relates to Proof of Claim No. 10725-00945 filed by Stoebling Family Trust for November
 8 15, 2011 at 9:30 a.m. at the U.S. Bankruptcy Court, 300 Las Vegas Boulevard South;
 9 Courtroom # 1, Las Vegas, NV 89101;

10 2. Stoebling Family Trust failure to appear at the hearing may be deemed a
 11 withdrawal of the response and, consequently, the Court would sustain the USACM
 12 Liquidating Trust's objection without further proceedings, meaning that the Stoebling
 13 Family Trust claim would be disallowed;

14 3. Stoebling Family Trust may appear telephonically at the status conference on
 15 November 15, 2011 by sending a written request to the Honorable Linda B. Riegle, U.S.
 16 Bankruptcy Court; 300 Las Vegas Boulevard South; Las Vegas, NV 89101 or by sending a
 17 facsimile request to 702-527-7015. The written request must be received by the Court on
 18 or before November 8, 2011 or it will be denied without good cause shown for failing to
 19 timely request permission to appear telephonically; and

20 4. Once the Court grants Stoebling Family Trust permission to appear
 21 telephonically, Stoebling Family Trust should contact CourtCall at least 48 hours prior to
 22 the hearing by telephone at 1-888-882-6878, or by facsimile at 888-883-2946, to make
 23 arrangements for the telephonic appearance. CourtCall will require Stoebling Family Trust
 24 to provide the Court location, Judge's name, case name, case number, and date and time of
 25 the hearing. CourtCall charges are to be paid by claimant.

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1 PREPARED AND RESPECTFULLY SUBMITTED BY:

2 **LEWIS AND ROCA LLP**

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4 By /s/ John Hinderaker (AZ #018024)

5 Robert M. Charles, Jr.

6 John Hinderaker (*pro hac vice*)

7 3993 Howard Hughes Parkway, Ste. 600

8 Las Vegas, Nevada 89169-5996

9 Telephone: (702) 949-8320

10 Facsimile: (702) 949-8321

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12 *Attorneys for USACM Liquidating Trust*

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

xxx No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker (AZ #018024)
Attorneys for USACM Liquidating Trust

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